

ELECTRONICALLY FILED

October 9, 2007

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*Counsel for the Official Committee of Equity Security Holders of  
USA Capital First Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:	)	BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY	)	Chapter 11
Debtor	)	

In re:	)	BK-S-06-10726-LBR
USA CAPITAL REALTY ADVISORS, LLC,	)	Chapter 11
Debtor	)	

In re:	)	BK-S-06-10727-LBR
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	)	Chapter 11
Debtor	)	

In re:	)	BK-S-06-10728-LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,	)	Chapter 11
Debtor.	)	

In re:	)	BK-S-06-10729-LBR
USA SECURITIES, LLC,	)	Chapter 11
Debtor.	)	

Affects	)	
<input type="checkbox"/> All Debtors	)	
<input type="checkbox"/> USA Commercial Mortgage Co.	)	
<input type="checkbox"/> USA Securities, LLC	)	DATE: September 28, 2007
<input type="checkbox"/> USA Capital Realty Advisors, LLC	)	TIME: 1:30 p.m.
<input type="checkbox"/> USA Capital Diversified Trust Deed	)	
<input checked="" type="checkbox"/> USA Capital First Trust Deed Fund, LLC	)	

**NOTICE OF ENTRY OF ORDER SUSTAINING OBJECTION OF USACM TRUST TO  
CAROLINE GERWIN CLAIM FILED IN WRONG DEBTOR'S CASE; OBJECTION OF FTDF  
TO PROPOSED ALLOWANCE OF CLAIM**

PLEASE TAKE NOTICE that an Order Sustaining Objection of USACM Trust to  
Caroline Gerwin Claim Filed in Wrong Debtor's Case; Objection of FTDF to Proposed

1 Allowance of claim was entered on the 2<sup>nd</sup> day of October, 2007, a true and correct copy of  
2 which is attached hereto.

3 DATED this 9<sup>th</sup> day of October, 2007.

4  
5 SHEA & CARLYON, LTD.

6 

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Case: 06-10725-lbr

Doc #: 4920

Filed: 10/02/2007

Page: 1 of 3



Entered on Docket  
October 02, 2007

Hon. Linda B. Riegler  
United States Bankruptcy Judge

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Equity Security Holders Of USA Capital First Trust Deed Fund, LLC

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,  
USA CAPITAL REALTY ADVISORS, LLC,  
USA CAPITAL DIVERSIFIED TRUST DEED FUND,  
LLC,  
USA CAPITAL FIRST TRUST DEED FUND, LLC,  
USA SECURITIES, LLC,

Debtors.

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☒ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-10725 LBR

**Order Sustaining Objection of USACM Trust  
To Caroline Gerwin Claim Filed in Wrong  
Debtor's Case; Objection of FTDF to Proposed  
Allowance of Claim**

Hearing Date: September 28  
Hearing Time: 1:30 p.m.


1 The Court having considered the Objection of USACM Trust To Caroline Gerwin Claim  
2 Filed in Wrong Debtor's Case; Objection of FTDF to Proposed Allowance of Claim (the  
3 "Objection") [Docket No. 4430]; appearances having been noted on the record; adequate notice of  
4 the Objection having been given; there having been no response filed to the Objection; and for  
5 good cause appearing:

6  
7 IT IS HEREBY ORDERED that the Objection is sustained, and that Claim No. 10725-  
8 00390 is disallowed against the estates and in the cases of USACM and FTDF.

9 IT IS FURTHER ORDERED that this Order shall not affect any other claims filed by  
10 Caroline Gerwin ("Claimant") in these jointly-administered bankruptcy proceedings.


11 IT IS FURTHER ORDERED that this Order shall not affect either the amount or validity  
12 of Claimant's equity interest in FTDF as reflected in FTDF's books and records, which interest is  
13 in the amount of \$25,000.

14  
15 SUBMITTED BY:

16   
17 SUSAN M. FREEMAN  
18 ROB CHARLES  
19 LEWIS AND ROCA LLP  
3993 Howard Hughes Parkway, Suite 600  
Las Vegas, NV 89169-0961

20 *Counsel for USACM Liquidating Trust*

APPROVED BY:

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26 *Counsel for the Official Committee of  
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USA Capital First Trust Deed Fund, LLC*

1 *Approved*  
REVIEWED:

2 OFFICE OF THE U.S. TRUSTEE

3 *[Signature]*  
4 AUGUST B. LANDIS, ESQ.

5 SCOTT A. FARROW, ESQ.

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